



A BILL FOR AN ORDINANCE

RELATING TO HANAUMA BAY NATURE PRESERVE.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to increase the entrance fee for nonresidents and vehicle parking fee and to establish an entrance fee for licensed motor carriers entering the Hanauma Bay Nature Preserve.

SECTION 2. Section 10-2.11, Revised Ordinance of Honolulu 1990, is amended to read as follows:

"Sec. 10-2.11 Fees for Hanauma Bay Nature Preserve.

(a) The following fees ~~[shall be assessed]~~ apply for entrance to the Hanauma Bay Nature Preserve:

(1) For nonresidents of Hawaii, 13 years of age and older, to enter the lower preserve (beyond the scenic lookout): ~~[\$7.50]~~ \$12.00 per person.

(2) For vehicles entering the preserve, ~~[a \$1.00]~~ the following parking [fee-shall be assessed;] fees apply:

(A) For vehicles operated by residents of Hawaii: \$1.00; and

(B) For vehicles operated by nonresidents of Hawaii: \$3.00;

provided that ~~[this parking fee shall]~~ the parking fees specified in this subdivision must be refunded for all vehicles departing from the preserve within 15 minutes of their entry.

(3) For licensed motor carriers entering the preserve, the following fees apply:

(A) For motor vehicles that can accommodate 1 to 7 passengers: \$10.00;

(B) For motor vehicles that can accommodate 8 to 25 passengers: \$20.00; and

(C) For motor vehicles that can accommodate 26 or more passengers: \$40.00;



A BILL FOR AN ORDINANCE

provided that the fees specified in this subdivision do not apply to a taxicab unless the vehicle may also be operated as a licensed motor carrier.

For purposes of this subdivision:

"Common carrier by motor vehicle" means the same as defined in HRS Section 271-4, as may be amended or superseded.

"Contract carrier by motor vehicle" means the same as defined in HRS Section 271-4, as may be amended or superseded.

"Licensed motor carrier" means a motor carrier with a current certificate of public convenience and necessity or permit issued by the public utilities commission authorizing the transportation of persons.

"Motor carrier" includes both a common carrier by motor vehicle and a contract carrier by motor vehicle.

"Motor vehicle" means the same as defined in HRS Section 271-4, as may be amended or superseded.

"Taxicab" means the same as defined in Section 12-1.1(b).

- (b) The director of parks and recreation [~~is authorized to~~] may waive the fees [~~provided by this section~~] in subsection (a) and [to] allow entry of any person to the Hanauma Bay Nature Preserve as part of an educational or promotional program or package made available or authorized by the city.
- (c) Customers of a commercial scuba diving and snorkeling permittee and the permittee shall pay the [~~applicable~~] fees [~~established~~] in [~~subdivisions (a)(1) and (a)(2)~~] subsection (a), if applicable.
- (d) Hawaiians entering the Hanauma Bay Nature Preserve to exercise their traditional and customary rights for subsistence, cultural, and religious purposes shall be exempt from paying the fees [~~established~~] in [~~subdivisions~~] subsection (a)(1) [~~and/or (a)(2) as the case may be;~~] and (2); provided that nothing in this subsection shall be construed as allowing activities [~~which~~] that may be otherwise prohibited by the [~~Hawaii Revised Statutes~~] state law or the administrative rules of the department of land and natural resources. For purposes of this section, "Hawaiian" means the same as defined in HRS Section 11-1."



A BILL FOR AN ORDINANCE

SECTION 3. Ordinance material to be repealed is bracketed and stricken. New ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.

SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ikaika Anderson (br)

DATE OF INTRODUCTION:

May 13, 2020
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:


DAWN D. M. SPIURIN
Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.


KIRK CALDWELL, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE **20-32**

BILL 44 (2020), CD2

Introduced: 05/13/20 By: IKAIKA ANDERSON – BY REQUEST Committee: BUDGET

Title: A BILL FOR AN ORDINANCE RELATING TO HANAUMA BAY NATURE PRESERVE.

Voting Legend: * = Aye w/Reservations

06/03/20	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON BUDGET. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS*.
06/17/20	BUDGET	CR-151 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM. 3 AYES: ELEFANTE, MANAHAN, WATERS. 2 EXCUSED: MENOR, PINE.
06/26/20	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
07/08/20	COUNCIL/PUBLIC HEARING	CR-151 ADOPTED. BILL PASSED SECOND READING AS AMENDED, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON BUDGET. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS.
07/15/20	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
07/15/20	BUDGET	CR-171 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM. 4 AYES: ELEFANTE, MANAHAN, MENOR, WATERS. 1 EXCUSED: PINE.
08/19/20	COUNCIL	NOTE: PROPOSED FD1 POSTED ON THE AGENDA WAS NOT CONSIDERED. CR-171 AND BILL 44 (2020), CD2 RECOMMITTED TO COMMITTEE ON BUDGET. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS.
09/16/20	BUDGET	CR-226 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM. 5 AYES: ELEFANTE, MANAHAN, MENOR, PINE, WATERS. NOTE: EFFECTIVE SEPTEMBER 23, 2020, COUNCILMEMBER IKAIKA ANDERSON, REPRESENTING COUNCIL DISTRICT III, RESIGNED FROM OFFICE. [Refer to Communication CC-256(20)] NOTE: THE APPOINTMENT OF ALAN KEKOA TEXEIRA TO FILL A VACANCY IN THE OFFICE OF COUNCILMEMBER FOR COUNCIL DISTRICT III WAS APPROVED ON WEDNESDAY, SEPTEMBER 23, 2020. (refer to RES20-236, FD1) CC-269(20) KOBAYASHI - COUNCIL STANDING COMMITTEE ASSIGNMENTS.
10/07/20	COUNCIL	CR-226 ADOPTED AND BILL 44 (2020), CD2 PASSED THIRD READING AS AMENDED. 9 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TEXEIRA, TSUNEYOSHI, WATERS.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


GLEN I. TAKAHASHI, CITY CLERK


ANN KOBAYASHI, CHAIR AND PRESIDING OFFICER